

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Dawitt Ralph Hall, #31104-007,)	Case No.: 4:23-cv-01492-JD-TER
)	
Plaintiff,)	
)	
vs.)	ORDER AND OPINION
)	
CVS Pharmacy, CVS Germantown(MD),)	
LLC, Tessa Vermilyah, Kyona Hammonds,)	
)	
Defendants.)	
)	

This matter is before the Court with the Report and Recommendation (“Report and Recommendation” or “Report”) of United States Magistrate Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(e) of the District of South Carolina.¹ (DE 11.) Plaintiff Dawitt Ralph Hall (“Plaintiff” or “Hall”), proceeding *pro se*, filed this action against Defendants CVS Pharmacy, CVS Germantown (MD), LLC, Tessa Vermilyah, Kyona Hammonds (collectively “Defendants”) alleging among other things that “CVS Pharmacy Tech(s) (acting under the Color of state law) after being coerced allowed different Tech(s) at different locations use Fake ID's to obtain several ‘Oxycodone’ among other Schedule 1 drugs” using Plaintiff’s identity in Germantown, Maryland. (DE 8, p. 4.)

The Report and Recommendation was issued on May 31, 2023, recommending Plaintiff’s case be transferred to the United States District Court for the District of Maryland for further handling because based on the allegations in the Complaint and Amended Complaint, no

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

Defendants are residents of South Carolina and the events that gave rise to the action occurred in Maryland. (DE 11.) On June 9, 2023, Plaintiff filed a letter indicating that he agrees with the Court's recommendation that the District of Maryland is the proper forum for his Complaint (DE 13).

Accordingly, after a thorough review of the Report and Recommendation and the record in this case, the Court adopts the Report (DE 11) and incorporates it herein.

It is, therefore, **ORDERED** that Plaintiff's case is transferred in the interests of justice to the United States District Court for the District of Maryland for further handling.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "Joseph Dawson, III".

Joseph Dawson, III
United States District Judge

Florence, South Carolina
June 26, 2023